



## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

**[212A2100DD/AAKC001030/A0A501010.999900 253G; OMB Control Number 1076-0149, 1076-0152, and 1076-0158]**

**Agency Information Collection Activities; Class III Gaming Procedures, Tribal Revenue Allocation Plans, and Gaming on Trust Lands Acquired After October 17, 1988**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the Assistant Secretary – Indian Affairs (AS-IA) are proposing to renew three information collections.

**DATES:** Interested persons are invited to submit comments on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

**ADDRESSES:** Send your comments on this information collection request (ICR) by mail to Ms. Paula Hart, Director, Office of Indian Gaming, AS-IA, 1849 C Street NW, Mail Stop 3657, Washington, DC 20240; or by email to [indiangaming@bia.gov](mailto:indiangaming@bia.gov). Please reference OMB Control Number 1076-0149, 1076-0152, or 1076-0158 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Ms. Paula Hart, Director, Office of Indian Gaming, AS-IA, telephone: 202-219-4066.

**SUPPLEMENTARY INFORMATION:** In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an

opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) is the collection necessary to the proper functions of the AS-IA; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the AS-IA enhance the quality, utility, and clarity of the information to be collected; and (5) how might the AS-IA minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment - including your personal identifying information - may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

*Abstract:* The collection of information will ensure that the provisions of the Indian Gaming Regulatory Act (IGRA) and other applicable requirements are met when federally recognized Tribes submit Class III procedures for review and approval by the Secretary of the Interior. Sections 291.4, 291.10, 291.12 and 291.15 of 25 CFR 291, Class III Gaming Procedures, specify the information collection requirement. An Indian Tribe must ask the Secretary to issue Class III gaming procedures. The information to be collected includes: the name of the Tribe, the name of the State, Tribal documents, State documents, regulatory schemes, the proposed procedures, and other documents deemed

necessary.

*Title of Collection:* Class III Gaming Procedures.

*OMB Control Number:* 1076-0149.

*Form Number:* None.

*Type of Review:* Extension of a currently approved collection.

*Respondents/Affected Public:* Federally recognized Indian Tribes.

*Total Estimated Number of Annual Respondents:* 12.

*Total Estimated Number of Annual Responses:* 12.

*Estimated Completion Time per Response:* 320 hours.

*Total Estimated Number of Annual Burden Hours:* 3,840 hours.

*Respondent's Obligation:* Required to obtain a benefit.

*Frequency of Collection:* On occasion.

*Total Estimated Annual Nonhour Burden Cost:* \$0.

\* \* \*

*Abstract:* An Indian tribe must ask the Secretary to approve a Tribal revenue allocation plan. In order for Indian Tribes to distribute net gaming revenues in the form of per capita payments, information is needed by the AS-IA to ensure that Tribal revenue allocation plans include: (1) Assurances that certain statutory requirements are met, (2) a breakdown of the specific used to which net gaming revenues will be allocated, (3) eligibility requirements for participation, (4) tax liability notification, and (5) the assurance of the protection and preservation of the per capita share of minors and legal incompetents. Sections 290.12, 290.17, 290.24 and 290.26 of 25 CFR Part 290, Tribal Revenue Allocation Plans, specify the information collection requirement. The information to be collected includes: the name of the Tribe, Tribal documents, the allocation plan, and other documents deemed necessary.

*Title of Collection:* Tribal Revenue Allocation Plans.

*OMB Control Number:* 1076-0152.

*Form Number:* None.

*Type of Review:* Extension of a currently approved collection.

*Respondents/Affected Public:* Federally recognized Indian Tribes.

*Total Estimated Number of Annual Respondents:* 20.

*Total Estimated Number of Annual Responses:* 20.

*Estimated Completion Time per Response:* 100 hours.

*Total Estimated Number of Annual Burden Hours:* 2,000 hours.

*Respondent's Obligation:* Required to obtain a benefit.

*Frequency of Collection:* On occasion.

*Total Estimated Annual Nonhour Burden Cost:* \$0.

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*Abstract:* The collection of information will ensure that the provisions of IGRA, Federal law, and the trust obligations of the United States are met when Federally recognized Tribes submit an application under 25 CFR part 292. The applications covered by this OMB Control No. are those seeking a secretarial determination that a gaming establishment on land acquired in trust after October 17, 1988, would be in the best interest of the Indian Tribe and its members, and would not be detrimental to the surrounding community.

*Title of Collection:* Gaming on Trust Lands Acquired After October 17, 1988.

*OMB Control Number:* 1076-0158.

*Form Number:* None.

*Type of Review:* Extension of a currently approved collection.

*Respondents/Affected Public:* Federally recognized Indian Tribes.

*Total Estimated Number of Annual Respondents:* 2.

*Total Estimated Number of Annual Responses:* 2.

*Estimated Completion Time per Response:* 1,000 hours.

*Total Estimated Number of Annual Burden Hours:* 2,000 hours.

*Respondent's Obligation:* Required to obtain a benefit.

*Frequency of Collection:* On occasion.

*Total Estimated Annual Nonhour Burden Cost:* \$0.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq*).

**Elizabeth K. Appel,**

*Director,*

*Office of Regulatory Affairs and Collaborative Action – Indian Affairs.*